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T-199 P.001/004 F-756

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Fax Transmission

February 16, 2004

TO:

Commissioner for Patents

Patent Examining Corps

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FROM:

Robert A. Kalinsky

OUR REF:

73270.2/40062.61USC1

TELEPHONE:

612.336.4771

USPTO Centralized Facsimile No.: 1-703-872-9306

Total pages, including cover letter: 4.

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Title of Documents Transmitted: 1. Information Disclosure Statement.

2. Form 1449.

Applicant:

Charlton E. Lui

Our Ref. No.:

73270.2/40062.61USC1

Serial No.:

10/723,645

Confirmation No.:

8793

Filed:

November 25, 2003 Customer No.:

23552

Group Art Unit:

2674

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Name: Robert A. Kalinsky

Reg. No.: 50,471

RAK:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Signature (Patricia L. Larrimore)

February 16

10:14

FROM-Merchant & Gould

FEB 1 76128324081

T-199 P.002/004 F-756

S/N 10/723,645

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Charlton E. Lui

Examiner:

To Be Assigned

Serial No.:

10/723,645

Group Art Unit:

2674

Filed:

November 25, 2003

Docket No.:

73270.2/40062.61USC1

Customer No.:

23552

Confirmation No.:

8793

Title:

Adaptive Input Pen Mode Selection

CERTIFICATE UNDER 37 CFR 1.6(d):

The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 16

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/550,362 filed on April 19, 2000.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

> Respectfully submitted, MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Date: February 4

Reg. No.: 50,471

RAK:pll

6123329081

T-199 P.004/004 F-756

Date Mailed: February 16, 2004

Sheet 1 of 1 Customer No. 23552

| FORM 1449* INFORMATION DISCLOSURE STATEMENT | Docket Number: 73270.2/40062.61USC1 | Application Number: 10/723,645 | |
|---|--|-----------------------------------|--|
| IN AN APPLICATION | Applicant: Charlton E. Lui | Confirmation No.: 8793 | |
| (Use several sheets if necessary) | Filing Date: November 25, 2003 | Group Art Unit: 2674 | |

| | | <u> </u> | .s. patent documen | ZTY | | | |
|---------------------|--------------|------------|-----------------------------|-------------------|-------------|-------------------------------|----|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| - · · · · · · · | 5,231,698 | 07/27/1993 | Forcier | | | | |
| | 5,523,775 | 06/04/1996 | Capps | | | | |
| | 5,555,363 | 09/10/1996 | Tou ct al. | | | | |
| | 5,796,406 | 08/18/1998 | Shigematsu et al. | | | · | |
| | 6,128,007 | 10/03/2000 | Seybold | | | | - |
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| | | FOR | EIGN PATENT DOCUM | ŒNTS | | | |
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
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| | OTHER | DOCUMENTS | (Including Author, Title, I | Date, Pertinent P | ages, Etc.) | | |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE